

IFW

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A8439

Rafael BRACHO, et al.

**FILED**

Appln. No.: 09/464,378

Group Art Unit: 2175

Confirmation No.: 7455

**JUN 20 2003**

Examiner: David Yiuk JUNG

Filed: December 15, 1999

For: ENTERPRISE COMPUTER SYSTEM

**DECLARATION UNDER 37 C.F.R. § 3.73(b)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

WEBMETHODS, INC states that it is the assignee of the entire right, title, and interest in the above-identified application by virtue of an acquisition of Active Software, Inc., the present assignees of record.

Submitted herewith is additional verification as evidence of the acquisition of Active Software, Inc., by WEBMETHODS, INC. A portion of a Proxy Statement and a Form 8K filed with the Securities and Exchange Commission pursuant to Sections 14(a) and 23 of the Securities Exchange Act of 1934, respectively, is attached.

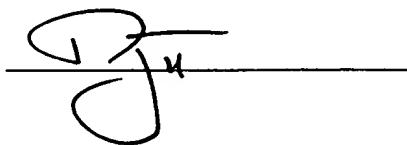
The undersigned declares further that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/10/2003

A handwritten signature in black ink, appearing to be 'D. McNitt', is written over a horizontal line.

Douglas W. McNitt

Executive Vice President and General Counsel

WEBMETHODS, INC.

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